

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
CLERK OF COURT
U.S. DISTRICT COURT E.D.N.Y.

RD 4/14/2020
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★ JAN 15 2020

CYNTHIEL CHRISTIE EL,

BROOKLYN OFFICE

Plaintiff,

MEMORANDUM & ORDER

2:19-CV-6423 (WFK) (RML)

v.

DEUTSCHE BANK NATIONAL, *et al.*,

Defendants.

WILLIAM F. KUNTZ, II, United States District Judge:

On November 19, 2019, Plaintiff filed the instant *pro se* action. By letter dated November 22, 2019, the Court informed Plaintiff that her submission was deficient as she failed to pay the filing fee or submit an application for *in forma pauperis* relief. Plaintiff was provided with the *in forma pauperis* form and instructed that, in order to proceed, she was required to cure the deficiency within 14 days. On December 10, 2019, plaintiff returned the form—signed but otherwise blank—with a stamp across all pages citing to *Crandall v. State*, 73 U.S. 35 (1867), and, on a separate page, the following statement:

All Sovereign, Private, Civilian inhabitants shall have free access to all Judicial Courts of the several states. All Clerks and/or Deputy shall file all documents of paper for any/or all sovereign, private civilian inhabitants; Free and without charge of Fees. *Crandall vs State of Nevada*, 73 U.S. 35.

ECF Nos. 6 and 7. However, as every case addressing plaintiff's argument has held, *Crandall* has nothing to do with the statutory requirement in 28 U.S.C. § 1914 that a plaintiff must pay a filing fee or be excused by reason of *in forma pauperis* status under 28 U.S.C. § 1915. *See, e.g., Gaul v. Chrysler Fin. Servs. Ams., LLC*, 15-1337, 657 F. App'x 16, 19 (2d Cir. July 1, 2016); *Eric v. Kansas*, 19-CV-4083, 2019 WL 5787950, at *1 (D. Kan. Nov. 6, 2019); *Neighbors v. Smith*, 17-CV-4028, 2017 WL 1951000, at *2 (D. Kan. May 11, 2017); *Walker v. Village Court*,

17-CV-390, 2017 WL 4220415, at *1 (N.D.N.Y. Aug. 4, 2017) (Peebles, Mag. J.); *Marrakush Society v. New Jersey State Police*, 09-2518, 2009 WL 2366132, at *36 (D.N.J. July 30, 2009).

Accordingly, the action is dismissed without prejudice. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). The Clerk of Court is respectfully requested to mail this order to the address of record and close this case.

SO ORDERED.

s/WFK


WILLIAM F. KUNTZ, II
United States District Judge

Dated: January 14, 2020
Brooklyn, New York